

DRAFT

Post Harvest Handling vs. Processing – Organic Production Operations

The processing committee was asked to provide guidance concerning post harvest handling and processing functions for operations producing organic products. This document focuses on plant production. The intent of this document is to provide some basic guidance for determining tasks which could be considered post-harvest handling and those considered to be functions of processing.

The committee wishes to forward this information to the National Organic Program staff for consideration and legal review. Consequently the format of this document is intended to provide the NOP staff an opportunity to consider each task listed under the appropriate category (post-harvest handling or processing). The committee hopes the result will be a definitive determination (when possible) as to the status of each particular task in the context of an organic production operation.

The committee consulted the following information in creating this document:

- Organic Foods Production Act
- National Organic Program-Final Rule
- Pertinent Industry Documents

Definitions pertaining to production and post-harvest handling:

OFPA

Agricultural Product: Any agricultural commodity or product whether raw or processed including any commodity or product derived from livestock that is marketed in the United States for human or livestock consumption.

Certified Organic Farm: A farm or portion of a farm or site where agricultural products or livestock are produced that is certified by the certifying agent under this chapter as utilizing a system of organic farming as described by this chapter.

Handle: To sell, process or package or package agricultural products.

Handler: Any person engaged in the business of handling agricultural products except such term shall not include final retailers of agricultural products that do not process agricultural products.

Handling Operation: Any operation or portion of an operation that receives or otherwise acquires agricultural products and processes, packages or stores such products.

Producer: A person who engages in the business of growing food or feed.

NOP-Final Rule

Handle: To sell, process or package agricultural products except such term shall not include the sale, transportation or delivery of crops or livestock by the producer thereof to a handler.

The OFPA and NOP-Final Rule do not specifically define post-harvest handling. However, the definition of “handle” as stated in the NOP-Final Rule does provide basic guidance concerning the scope of handling allowable without additional certification requirements for organic production operations. Also producers of organic products must demonstrate compliance or the ability to comply with 205.201 Organic production and handling system plan.

The following acts could be considered as part of the production or post-harvest handling process:

- All acts necessary to successfully produce an organic agricultural product such as: tillage, cultivation, pruning, trimming, irrigating.
- Preparation of the portion of an agricultural product intended for sale such as: harvesting, refrigerating, cleaning, rinsing, drying, temporarily storing and packaging or to prepare in a manner suitable for transport or sale to a handler except in cases where products are packaged and sold direct to the consumer at farmers markets.

Definitions pertaining to processing:

OFPA

Handling Operation: Any operation or portion of an operation that receives or otherwise acquires agricultural products and processes, packages or stores such products.

Processing: Cooking, baking, heating, drying, mixing, grinding, churning, separating, extracting, cutting, fermenting, eviscerating, preserving, dehydrating, freezing or otherwise manufacturing and includes the packaging, canning, jarring or otherwise enclosing food in a container.

The OFPA (and NOP-Final Rule) definition of processing include many tasks related to food and agricultural product preparation. Some of these tasks are performed as part of post harvest handling while others are clearly processing. Further, the definition of handling operation provides basic guidance in that an “operation receives or otherwise acquires” perhaps indicating producers can perform certain functions normally considered to be processing without the requirement of additional certification.

The following acts could be considered processing in the context of an organic production operation:

- When a producer is formally packaging and labeling an organic product for direct sale to consumers or handlers. Examples include: combining several agricultural products to create a final product, transforming the natural state of an agricultural product as harvested and the creation of sauces, purees and juices.

In summary the processing committee feels this topic deserves further consideration and invites the industry and the NOP to provide additional input in the coming months.

NOTE: Potential definition for post-harvest handling.

Post-harvest handling (crops): To harvest the portion of a crop intended for sale and prepare in a manner suitable for transport to the purchaser (handler) in accordance with the organic system plan.

Processing Taskforce Addendum 10.19.02

On October 15, 2002 new FDA regulation was implemented concerning food contact substances. This may impact the use of secondary direct food additives (21 CFR 173) in the organic industry and consequently the current recommendation of this taskforce. For example, materials currently considered secondary direct food additives could be recognized as food contact substances, which would impact the NOSB's authority to review these materials. The taskforce recognizes this new regulation. However, the taskforce will further research this regulation and determine its relevance to the processing taskforce recommendation. The following language represents pertinent findings to date.

Section 409(h)(6) of the FFDCFA (21 U.S.C. 348(h)(6)) defines a food contact substance as "any substance intended for use as a component of materials used in manufacturing, packing, packaging, transporting, or holding food if such use is not intended to have any technical effect in such food." The premarket notification process for food contact substances in section 409(h) of the FFDCFA is the primary method by which the Food and Drug Administration (FDA) authorizes the use of food additives that are food contact substances.

For use in demineralizing sugar solutions prior to recrystallization, and to soften water for food and beverage production.	The ion-exchange resin must comply with all the applicable specifications prescribed in 21 CFR 173.25(b).
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The committee's research to date has provided additional clarity beyond the addendum as posted in October 2002. However, as with many considerations of this magnitude, further clarity is needed to ensure success in the process of considering food contact substance policy. The committee also believes more time is needed to consider public input.

Recommendation:

Defer action on a food contact substance recommendation.

Committee Vote:

Approve – unanimous
Disapprove -
Recuse –
Absent -
Abstain –

Minority Opinion:

None

Conclusion: Additional research will provide the clarity necessary for the committee to make an informed decision while also allowing the public the needed time to weigh in effectively.